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FRISHAUF HOLTZ GOODMAN & CHICK
767 THIRD AVENUE, 25TH FLOOR
NEW YORK, NY 10017-2023

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OFFICE OF PETITIONS

In re Application of	:	
Hisanori Tsuchino	:	DECISION GRANTING
Application No. 10/091,254	:	PETITION
Filed: March 4, 2002	:	
Attorney Docket No. 02110/LN	:	

This is a decision on the petition under 37 CFR 1.10(d), filed March 28, 2002 and supplemented June 24, 2002, requesting that the above-identified application be accorded a filing date of March 4, 2002, rather than the presently accorded filing date of March 5, 2002.

Applicant requests the earlier filing date on the basis that the application was purportedly deposited in Express Mail service on March 4, 2002, pursuant to 37 CFR 1.10. In support applicant submit, inter alia, a copy of a U.S. Postal Service (USPS) record styled "Pickup Service Statement for Express Mail, Priority Mail, or Parcel Post" showing that a package bearing Express Mail label No. EV044465440US was picked up by the USPS from counsel's office on March 4, 2002. The same Express Mail receipt number was referred to in the copy of the original transmittal letter submitted with the present petition.

Since the evidence from the USPS, namely, the Express Mail pickup Service Statement, corroborates a "date-in" of March 4, 2002, the petition is granted.

No petition fee is required and none has been charged.

The application is being returned to Initial Patent Examination Division for correction of the filing date to March 4, 2002.

Telephone inquiries specific to this matter should be directed to Wan Laymon at (703) 306-5685.

Sherry Brinkley
Sherry Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy